

REMARKS

Claims 17-23, 31, 36, 38, 40, and 42 are currently being cancelled without prejudice or disclaimer to the subject matter expressed therein, while claims 28, 32, 33, and 35 are currently being amended. In particular, claims 28 and 32 are currently being amended to incorporate formula (IV) and/or (IVa) therein, given the Examiner's acknowledgement that claims 24-27 are allowable. Additionally, claims 33 and 35 are being amended to obviate the Examiner's objection and indefinite rejection, respectively.

These amendments do not introduce new matter within the meaning of 35 U.S.C. §132. Accordingly, entry of the amendments by the Examiner is respectfully requested.

1. Allowable Subject Matter

Applicant kindly thanks the Examiner for acknowledging claims 24-27 are allowable. Accordingly, Applicant has cancelled claims 17-23, 31, 36, 38, 40, and 42, without prejudice or disclaimer to the subject matter expressed therein, while claims 28, 32, 33, and 35 have been amended to incorporate formula (IV) and/or (IVa) therein. As such, Applicant respectfully believes currently pending claims 24-30, 32-35, 37, 39, and 41 are allowable.

2. Priority Documents

Since the instant application is a national phase application of PCT application PCT/EP04/12984, Applicant respectfully believes the International Bureau should have forwarded a certified copy of Applicant's priority documents (i.e., European Application No. 03104913.3 filed December 22, 2003, as well as U.S. Provisional Patent Application No. 60/532,331 filed December 22, 2003.) to the U.S. Patent and Trademark Office (herein referred to as "the Office"). Additionally, the Notice of Acceptance of Application Under 35 U.S.C. §371 and 37 C.F.R. §1.495, issued by the Office on February 6, 2007, states the priority documents filed on June 22, 2006 have been received. Accordingly, Applicant respectfully believes the Office received a certified copy of both priority documents.

Notwithstanding the above, if the Office requires Applicant to resubmit a certified copy of European Application No. 03104913.3 filed December 22, 2003, Applicant will furnish a certified copy of the aforementioned priority document upon request.

3. Objection to Claims 17, 20, 22, 24, and 28

Claims 17, 20, and 22 have been cancelled rendering the objections thereto moot. With respect to claims 24 and 28, Applicant has changed the font of the aforementioned claims to obviate the current objection. Accordingly, Applicant respectfully

requests the current objection to be withdrawn.

4. Objection to Claims 17, 20, 22, 24, and 28

Claims 17, 20, and 22 have been cancelled rendering the objections thereto moot. With respect to claims 24 and 28, Applicant respectfully traverses the objections thereto.

First and foremost, Applicant respectfully believes one skilled in the art would recognize the metes and bounds of claims 24 and 28. For this reason alone, Applicant respectfully believes the current objection should be withdrawn. Notwithstanding, Applicant includes an excerpt from the CRC Handbook of Chemistry and Physics herewith as ATTACHMENT B. In particular, Rule A-4 regarding bivalent and multivalent radicals on C-5 states,

4.1 - Bivalent and trivalent radicals derived from univalent acyclic hydrocarbon radicals whose authorized names end in '-yl' by removal of one or two hydrogen atoms from the carbon atom with the free valences are named by adding '-idene' or '-idyne', respectively, to the name of the corresponding univalent radical. The carbon atom with the free valence is numbered as 1.

Accordingly, in light of the above, Applicant respectfully believes the current objection should be withdrawn.

5. Objection to Claim 19

Claim 19 has been cancelled rendering the objection thereto moot. Accordingly, Applicant respectfully requests the Examiner to withdraw the current objection.

6. Objection to Claim 28

Applicant has amended claim 28 as recommended by the Examiner. Accordingly, Applicant respectfully requests the Examiner to withdraw the current objection.

7. Objection to Claim 33

Applicant has amended claim 33 to obviate the Examiner's objection. Accordingly, Applicant respectfully requests the Examiner to withdraw the current objection.

8. Rejection of Claims 35-42 Under 35 U.S.C. §112, 2nd Paragraph

Claims 36, 38, 40, and 42 have been cancelled rendering the rejection thereof moot. With respect to claims 35, 37, 39, and 41, Applicant has amended claim 35 to obviate the Examiner's rejection. Additionally, 37, 39, and 41 all depend directly or indirectly from claim 35. Accordingly, Applicant respectfully requests the Examiner to withdraw the current rejection.

9. Rejection of Claims 17-19, 28-31, 35, 37, 39, and 41 Under 35

U.S.C. §102(b)

Claims 17-19 and 31 have been cancelled rendering the rejection thereof moot. With respect to claims 28-30, 35, 37, 39, and 41, Applicant has amended the aforementioned claims either directly or indirectly to obviate the current rejection. In particular, claims

28-30, 35, 37, 39, and 41 have been amended either directly or indirectly to incorporate formula (IV) and/or (IVa) therein. Accordingly, given the Examiner's acknowledgement claims 24-27 would be allowable, Applicant respectfully requests the Examiner to withdraw the current rejection.

10. Rejection of Claims 17-23 and 28-42 Under 35 U.S.C. §103(a)

Claims 17-23, 31, 36, 38, 40, and 42 have been cancelled rendering the rejection thereof moot. With respect to claims 28-30, 32-35, 37, 39, and 41, Applicant has amended the aforementioned claims either directly or indirectly to obviate the current rejection. In particular, claims 28-30, 32-35, 37, 39, and 41 have been amended either directly or indirectly to incorporate formula (IV) and/or (IVa) therein. Accordingly, given the Examiner's acknowledgement claims 24-27 would be allowable, Applicant respectfully requests the Examiner to withdraw the current rejection.

CONCLUSION

Based upon the above remarks, the presently claimed subject matter is believed to be novel and patentably distinguishable over the prior art of record. The Examiner is therefore respectfully requested to reconsider and withdraw all objections and rejections, and allow all pending claims 24-30, 32-35, 37, 39, and 41. Favorable action with an early allowance of the claims pending in

Serial No. 10/584,003

this application is earnestly solicited.

The Examiner is welcomed to telephone the undersigned practitioner if he has any questions or comments.

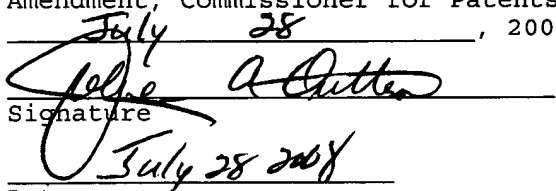
Respectfully submitted,

By: 

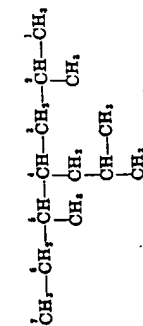
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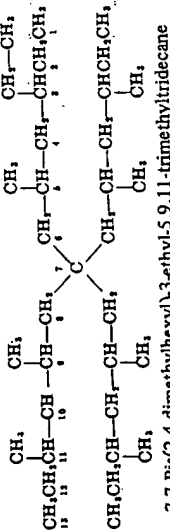

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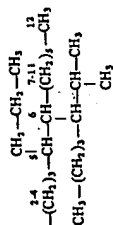


(c) The chain having the greatest number of carbon atoms in the smaller side chains.

Example:



(d) The chain having the least branched side chains.

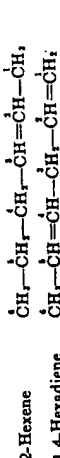


6-(1-Isopropylpentyl)-5-propyldodecane

Rule A-3. Unsaturated Compounds and Univalent Radicals

3.1—Unsaturated acyclic hydrocarbons having one or more double bonds are named by replacing the ending “-ane” of the name of the corresponding saturated hydrocarbon with the ending “-ene”. If there are two or more double bonds, the ending will be “-diene”, “-triene”, etc. The generic names of these hydrocarbons (branched or unbranched) are “alkene”, “alkadiene”, “alkatriene”, etc. The chain is so numbered as to give the lowest possible number to the double bond. When in cyclic compounds or their derivatives, the locant of a double bond is cited in the name, when they differ by more than unity, one locant is placed in parentheses after the other (see Rules A-3.1.3 and A-3.1.4).

Example:



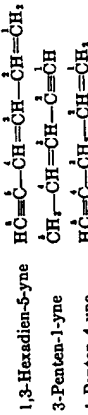
The following nonsystematic names are retained:



3.2—Unsaturated branched acyclic hydrocarbons having one or more double bonds are named by replacing the ending “-ane” of the name of the corresponding saturated hydrocarbon with the ending “-ene”. If there are two or more double bonds, the ending will be “-diene”, “-triene”, etc. The generic names of these hydrocarbons (branched or unbranched) are “alkene”, “alkadiene”, “alkatriene”, etc. The chain is so numbered as to give the lowest possible number to the double bond. Only the lower locant for a triple bond is cited in the name of a compound.

3.3—Unsaturated branched acyclic hydrocarbons having both double and triple bonds are named by replacing the ending “-ane” of the name of the corresponding saturated hydrocarbon with the ending “-ene”, “-yne”, “-en-yne”, etc. Numbers as low as possible are given in double and triple bonds even though this may at times give “-yne” to lower number than “-ene”. When there is a choice in numbering, the double bonds are given the lowest numbers.

Example:



3.4—Unsaturated branched acyclic hydrocarbons are named as derivatives of the unbranched hydrocarbon which contain the maximum number of double and triple bonds. If there are two or more double bonds, the ending will be “-diene”, “-triene”, etc. The generic names of these hydrocarbons (branched or unbranched) are “alkene”, “alkadiene”, “alkatriene”, etc. The chain is so numbered as to give the lowest possible number to the double bond. Only the lower locant for a triple bond is cited in the name of a compound.

3.5—Unsaturated branched acyclic hydrocarbons having both double and triple bonds are named by replacing the ending “-ane” of the name of the corresponding saturated hydrocarbon with the ending “-ene”, “-yne”, “-en-yne”, etc. Numbers as low as possible are given in double and triple bonds even though this may at times give “-yne” to lower number than “-ene”. When there is a choice in numbering, the double bonds are given the lowest numbers.

3.6—Unsaturated branched acyclic hydrocarbons having both double and triple bonds are named by replacing the ending “-ane” of the name of the corresponding saturated hydrocarbon with the ending “-ene”, “-yne”, “-en-yne”, etc. Numbers as low as possible are given in double and triple bonds even though this may at times give “-yne” to lower number than “-ene”. When there is a choice in numbering, the double bonds are given the lowest numbers.

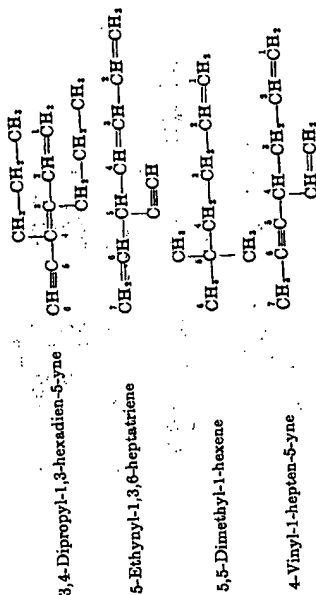
3.7—Unsaturated branched acyclic hydrocarbons having both double and triple bonds are named by replacing the ending “-ane” of the name of the corresponding saturated hydrocarbon with the ending “-ene”, “-yne”, “-en-yne”, etc. Numbers as low as possible are given in double and triple bonds even though this may at times give “-yne” to lower number than “-ene”. When there is a choice in numbering, the double bonds are given the lowest numbers.

3.8—Unsaturated branched acyclic hydrocarbons having both double and triple bonds are named by replacing the ending “-ane” of the name of the corresponding saturated hydrocarbon with the ending “-ene”, “-yne”, “-en-yne”, etc. Numbers as low as possible are given in double and triple bonds even though this may at times give “-yne” to lower number than “-ene”. When there is a choice in numbering, the double bonds are given the lowest numbers.

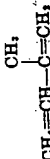
3.9—Unsaturated branched acyclic hydrocarbons having both double and triple bonds are named by replacing the ending “-ane” of the name of the corresponding saturated hydrocarbon with the ending “-ene”, “-yne”, “-en-yne”, etc. Numbers as low as possible are given in double and triple bonds even though this may at times give “-yne” to lower number than “-ene”. When there is a choice in numbering, the double bonds are given the lowest numbers.

3.10—Unsaturated branched acyclic hydrocarbons having both double and triple bonds are named by replacing the ending “-ane” of the name of the corresponding saturated hydrocarbon with the ending “-ene”, “-yne”, “-en-yne”, etc. Numbers as low as possible are given in double and triple bonds even though this may at times give “-yne” to lower number than “-ene”. When there is a choice in numbering, the double bonds are given the lowest numbers.

Example:

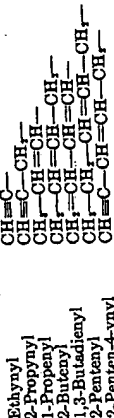


The name “isoprene” is retained for the unsubstituted compound only:



3.5—The names of univalent radicals derived from unsaturated acyclic hydrocarbons have the endings “-enyl”, “-ynyl”, “-dienyl”, etc., the positions of the double and triple bonds being indicated where necessary. The carbon atom with the free valence is numbered as 1.

Examples:

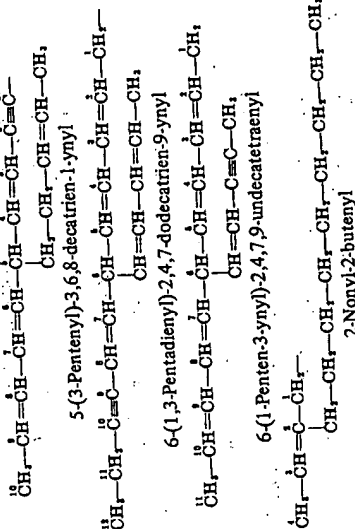


Exceptions: The following names are retained:



3.6—When there is a choice for the fundamental chain of a radical, the chain is selected which contains (1) the maximum number of double and triple bonds; (2) the largest number of carbon atoms; and (3) the largest number of double bonds.

Example:



Rule A-4. Bivalent and Multivalent Radicals*

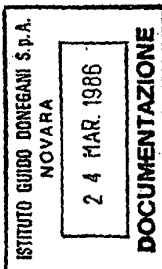
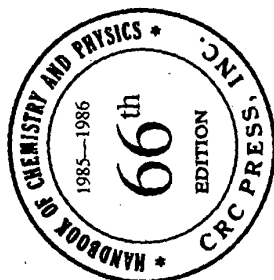
4.1—Bivalent and trivalent radicals derived from unsaturated acyclic hydrocarbons are named by adding “-yl” to the name of the corresponding univalent radical. The carbon atom with the free valence is numbered as 1.

The name “isoprene” is retained for the radical C₅H₈.

Rule D-4.1.6 introduces an alternate method of naming radicals derived from any position of unbranched chains or ring systems by adding “-yl”, “-diyl”, “-triyl”, etc. to the name of the chain or ring system with citation of “e” before “-yl”. Examples: 2-pentenyl, 1,3-hexadienyl, 1,6-hexadienyl, 1,6-hexadienyl, 1,6-hexadienyl, etc.

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In collaboration with a large number of professional chemists and physicists whose assistance is acknowledged in the list of general collaborators and in connection with the particular tables or sections involved.



CRC Press, Inc.
Boca Raton, Florida